

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION**

In re:

**DENNIS ABRAHAM BURNS
JAIME ALLISON DEITZ,
DEBTORS.**

CHAPTER 13

CASE NO. 18-50128

OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

NOTICE

YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THIS BANKRUPTCY CASE. (IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.)

IF YOU DO NOT WISH THE COURT TO SUSTAIN THE OBJECTION SOUGHT HEREIN, OR IF YOU WANT THE COURT TO CONSIDER YOUR VIEWS ON THE OBJECTION, THEN YOU MUST ATTEND THE HEARING ON THIS MATTER. OTHERWISE, THE COURT MAY DEEM OPPOSITION WAIVED, TREAT THE OBJECTION AS CONCEDED, AND ISSUE AN ORDER SUSTAINING THE OBJECTION WITHOUT FURTHER NOTICE OR HEARING.

COMES NOW, Federal National Mortgage Association ("Fannie Mae") ("Secured Creditor"), by Counsel, and objects to the confirmation of the Chapter 13 Plan (the "Plan") and in support thereof, represents unto the Court:

1. Secured Creditor has a claim against the property of the Debtors located at Route 60 West Amwell, Rupert, WV 25984 by virtue of the Note and accompanying Deed of Trust.
2. The pre-petition arrearages due to secured Creditor are approximately \$17,990.76, with monthly payments accruing in the amount of \$1,180.62.
3. The Plan appears to be underfunded, as the arrearage owed to this Secured Creditor is understated, with the Plan providing for only \$16,819.53 in pre-petition arrears, with monthly ongoing post petition payments provided for in the amount of \$1,173.23.
4. Secured Creditor objects due to the aforementioned deficiencies in the Plan.
5. Any Chapter 13 Plan proposed by the Debtors must provide for and eliminate the objections specified above in order to be feasible and to provide adequate protection to this Secured Creditor. It is respectfully requested that this Court deny confirmation of the Plan.

WHEREFORE, the undersigned requests as follows:

1. That confirmation of the proposed Plan be denied;
2. Debtors be required to modify the Plan to honor the terms and conditions of the Deed of Trust; and
3. For such other relief as this Court deems proper.

Federal National Mortgage Association ("Fannie Mae")

By: /s/ D. Carol Sasser

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CERTIFICATE OF SERVICE

I certify that on June 29, 2018, the foregoing Objection was served via CM/ECF on Helen M. Morris, Trustee, and George L. Lemon, Counsel for Debtors, at the email addresses registered with the Court, and that a true copy was mailed via first class mail, postage prepaid, to Dennis Abraham Burns and Jaime Allison Deitz, Debtors, P.O. Box 524, Rupert, WV 25984.

/s/ D. Carol Sasser

D. Carol Sasser, Esquire
Samuel I. White, P.C.